

1 BEFORE THE LAND USE BOARD OF APPEALS  
2 OF THE STATE OF OREGON

3  
4 KATHRYN BICE, KAREN JOHNSON and  
5 JACKSON COUNTY CITIZEN'S LEAGUE,  
6 *Petitioners,*

7  
8 vs.

9  
10 JACKSON COUNTY,  
11 *Respondent.*

12  
13 LUBA No. 2000-171

14  
15 FINAL OPINION  
16 AND ORDER

17  
18 Appeal from Jackson County.

19  
20 Joseph M. Charter, Medford, represented petitioner.

21  
22 Steven R. Rinkle, Senior Assistant County Counsel, Medford, represented  
23 respondent.

24  
25 BASSHAM, Board Member; HOLSTUN, Board Chair; BRIGGS, Board Member,  
26 participated in the decision.

27  
28 DISMISSED

11/08/2002

29  
30 You are entitled to judicial review of this Order. Judicial review is governed by the  
31 provisions of ORS 197.850.

1 Bassham, Board Member.

2 The challenged decision is an ordinance, adopted as part of periodic review, that  
3 amends the county's comprehensive plan and zoning map to change the zoning of a certain  
4 property. On October 19, 2000, petitioners filed this appeal and at the same time filed  
5 objections with the Department of Land Conservation and Development (DLDC). The  
6 parties then stipulated to stay this appeal pending completion of DLCD's review. The  
7 stipulation states that once DLCD completes its review, the parties will submit a proposed  
8 briefing schedule to LUBA.

9 On July 15, 2002, we wrote the parties asking about the status of this appeal. The  
10 county responded, stating that DLCD review has been completed, and that the county is  
11 prepared to go forward if petitioners still desire to do so. However, the county states that it  
12 has communicated with petitioners' attorney, who advised that his understanding is that the  
13 LUBA appeal had been dismissed, and that he no longer represents anyone in this case.  
14 Petitioners have not responded directly to LUBA's July 15, 2002 letter.

15 Given petitioners' apparent lack of interest in prosecuting this appeal, it is dismissed.